

ORDINANCE NO. 2013-18-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1: Change UZO Section 1-10-2 Words and Terms Defined by adding the following definition:

AGRICULTURAL RENTAL HALL. An establishment (either with or without an outdoor component) where private parties, weddings, and/or receptions limited to attendance by invitation or reservation are held. Additionally, hosting public events, open to the public without the requirement of an invitation or reservation, at which entertainment is provided as the main attraction, may also be part of such business. Unless located in a zone that also permits eating and drinking places as a primary use, an **agricultural rental hall**: 1. May only serve food prepared by an off-premises caterer and may not include any uses listed in SIC 5812 or 5813 and 2: May only host such public events up to four times per calendar year.

Section 2: Change UZO Section 3-2 Permitted Use Table by adding the category "Agricultural Rental Hall" that allows the following:

This use is permitted in the GB zone by right and in A and AW zones only with a special exception. Parking group 30/c (1 space per 4 patrons to the maximum capacity of the facility inclusive of both indoor, if any, and outdoor capability.) shall apply.

Section 3: Change UZO Section 4-6-3 Required Auto *Parking Spaces*, parking group 30 by adding to it the following:

Additionally, for **agricultural rental hall** public events in **rural zones**, grass or gravel overflow parking areas are required and shall be of sufficient size to accommodate all vehicles. Vehicles parked along public roads shall be evidence of non-compliance with this requirement.

This ordinance shall be in full force and effect from and after its passage.

(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 6th day of May, 2013.

VOTE:

Y

David Byers
David Byers, President

Y

John Knochel
John Knochel, Vice President

Y

Thomas Murtaugh
Thomas Murtaugh, Member

ATTEST:
Jennifer Weston
Jennifer Weston, Auditor

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

April 18, 2013
Ref. No.: 13-100

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette, IN 47901

CERTIFICATION

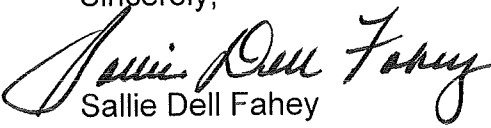
**RE: UZO AMENDMENT #76--AGRICULTURAL RENTAL
HALLS:**

An amendment to the Unified Zoning Ordinance that adds the definition of an "agricultural rental hall" to UZO Section 1-10-2 Words and Terms Defined; adds "agricultural rental hall" to UZO Section 3.2 Permitted Use Table, and adds a parking requirement for "agricultural rental hall" to Section 4-6-3 Required Auto Parking Spaces.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 17, 2013, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosure: Staff Report and Ordinance

**UNIFIED ZONING ORDINANCE AMENDMENT #76
AGRICULTURAL RENTAL HALL**

**STAFF REPORT
April 11, 2013**

**Unified Zoning Ordinance Amendment #76
Agricultural Rental Hall**

**Staff Report
April 11, 2013**

Staff was contacted by a citizen who wants to find a location in the county where she can run a business that is a wedding and reception venue in an agricultural setting. The proposed use would be permitted to host other types of parties and gatherings as well, but would not include a commercial kitchen. Unfortunately, the ordinance does not list this type of rental hall in its Use Table. After several meetings with the potential business owner, the Administrative Officer, and two Ordinance Committee meetings, a proposed ordinance amendment was favorably recommended by the committee.

The proposed definition would allow such a facility located in the GB zone to have a restaurant or coffee shop, or its own caterer on site as part of its business (Judy's Catering or The Trails for example). At the same time it would limit those places established in the A or AW zones that would typically not have sanitary sewer or water available to serve them. Catered food may be brought in, but cannot be prepared on site; the State Board of Health has regulations in place regarding the number and type of sinks needed for this use.

The definition also allows the hall to be used for public events, (as opposed to private weddings or parties by invitation only) such as charity fundraisers; however if the location is in the A or AW zone, big public events would be limited to no more than four times per year. The special exception requirement would allow the ABZA to decide if the proposed location would harm other property in its vicinity because of "traffic generation, placement of outdoor lighting, noise production or hours of operation."

The parking standard that the A.O.'s decided on already exists in the ordinance in two separate places. It is a combination of existing parking group 30: "1 per 4 patrons to the maximum capacity of the facility inclusive of both indoor, if any, and outdoor capability"; with the addition of a portion of the winery parking group 56: "Additionally, for public events, grass or gravel overflow parking areas are required and shall be of sufficient size to accommodate all vehicles. Vehicles parked along public roads shall be evidence of non-compliance with this requirement." Parking does not have to be paved in the A or AW zone; however, it is required in GB.

This proposal was reviewed by the County Administrative Officer (Building Commissioner Ken Brown) and received his blessing and was favorably recommended by Ordinance Committee at its March 6th meeting.

RECOMMENDATION:
Approval